

REMARKS/ARGUMENTS

Applicant responds herein to the non-final Office Action mailed September 8, 2011 in the above-identified patent application.

Claims 1, 5, 6, 10-13, 40-45, 47-49, 51, 54-58, 71-74 and 111 are the claims currently pending in the present application.

Claims 1, 71, 72 and 111 are amended to clarify features recited thereby. These amendments are fully supported by Applicant's disclosure see, for example, paragraphs 12 and 210-215 of the Specification for the amendments to claims 1, 71 and 111.

Rejection of Claims 1, 6, 10-13, 40, 48, 49, 54-57 and 111 under 35 U.S.C. §103

Claims 1, 6, 10-13, 40, 48, 49, 54-57 and 111 are rejected under 35 U.S.C. §103, as being obvious from Franklin, U.S. Patent No. 7,006,768 in view of Simons et al., U.S. Patent Application Publication No. 2006/0015503 and Duffet-Smith et al., U.S. Patent Application Publication No. 2003/0220117. Reconsideration of this rejection is respectfully requested.

Claim 1 requires a positioning system for detecting the position of a terminal, the system comprising a position estimation device that is configured to add a weighting value to one or more unique information received by the terminal within a past predetermined time based on the reception time of the respective unique information, to select unique information from the one or more unique information based on a result of the addition, to read out from the illumination installation position information the position information corresponding to the selected unique information, and to estimate the position of the terminal based on the read out position information.

Further, claim 111 requires a positioning system for detecting the position of a terminal, the system comprising a position estimation device that adds a weighting value to one or more unique information received by the terminal within a past predetermined time based on the reception time of the respective unique information, increases the weighting value as the reception time becomes newer, selects unique information having the largest value resulting from the addition, reads out from the illumination installation position information, the position information corresponding to the selected unique information, and estimates the position of the terminal based on the read out position information.

The Office Action acknowledges at page 5 that Franklin and Simons do not disclose or suggest such features. However, the Office Action cites Duffet-Smith, paragraph 24 and 26 and the Abstract.

Duffet-Smith discloses that weights are assigned to the measurements made by the one receiver, the weights being calculated from the bearing or bearings and a known directional transmission pattern of the transmission sources (Duffet-Smith, Abstract), and that the “timing offsets of the signal received by the receivers at known locations are measured relative to an internal clock of the receiver, relative to an external clock or relative to the time of arrival of another received signal, and weighted in accordance with the invention (Duffet-Smith, paragraph 24).

Duffet-Smith teaches weighting timing offsets of the received signals. In particular, these timing offsets are weighted, according to Duffet-Smith, based on the bearings of the transmission sources.

Duffet-Smith does not disclose or suggest that measurements are weighted based on time of arrival of transmissions received from the sources, as required by claim 1. Duffet-Smith does not disclose or suggest adding such a weighting value to one or more unique information received by the terminal within a past predetermined time based on the reception time. Further, Duffet-Smith does not disclose or suggest further processing of the result of this addition of the weighting value, as further required by claim 1.

The Office Action states that Simons discloses that the position information is read out within a past predetermined time period. However, Simon does not disclose or suggest reading out the position information corresponding to unique information selected based on a result of weighting value according to the reception time with respect to unique information, as required by claim 1.

Accordingly, even taken together in combination, Franklin, Simons and Duffet-Smith do not disclose or suggest the recitations of claim 1.

Claims 6, 10-13, 40, 48, 49, 54-57 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

Rejection of Claims 5, 47 and 58 under 35 U.S.C. §103

Claims 5, 47 and 58 are rejected under 35 U.S.C. §103, as being obvious from Franklin, Simons et al. and Duffet-Smith et al. in view of Tallman et al., U.S. Patent No. 6,175,308. Reconsideration of this rejection is respectfully requested.

Tallman does not cure the above-discussed deficiencies of Franklin, Simons and Duffet-Smith as they relate to the above-noted features of claim 1. Further, the Office Action does not allege that Tallman discloses or suggests such features. Even taken together in combination, Franklin, Simons, Duffet-Smith and Tallman do not disclose or suggest the recitations of claim 1.

Claims 5, 47 and 58 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

Rejection of Claims 41, 43-45, 71, 73 and 74 under 35 U.S.C. §103

Claims 41, 43-45, 71, 73 and 74 are rejected under 35 U.S.C. §103, as being obvious from Franklin, Simons et al. and Duffet-Smith et al. in view of Irvin, U.S. Patent No. 6,768,909. Reconsideration of this rejection is respectfully requested.

Claim 71 requires a positioning method of a positioning system for detecting the position of a terminal, the positioning method comprising adding a weighting value to one or more unique information received by the terminal within a past predetermined time based on the reception time of the respective unique information, selecting unique information from the one or more unique information based on the result of the addition by using the position estimation device, reading out from the illumination installation position information, the position information corresponding to the selected unique information, by using a position estimation device, and estimating the position of the terminal based on the read out position information.

As discussed, Franklin, Simons and Duffet-Smith do not disclose or suggest such features.

Irvin does not cure the above-discussed deficiencies of Franklin, Simons and Duffet-Smith as they relate to the above-noted features of claim 71. Even taken together in combination, Franklin, Simons, Duffet-Smith and Irvin do not disclose or suggest the recitations of claim 71.

Claims 41 and 43-45 depend from claim 1 and claims 73 and 74 depend from claim 71. Therefore, claims 41, 43-45, 73 and 74 are patentably distinguishable over the cited art for at least the same reasons as their respective base claim.

Rejection of Claims 42, 51 and 72 under 35 U.S.C. §103

Claims 42 and 72 are rejected under 35 U.S.C. §103, as being obvious from Franklin, Simons et al., Duffet-Smith et al. and Irvin in view of Schmidt, U.S. Patent No. 6,995,708.

Claim 51 is rejected under 35 U.S.C. §103, as being obvious from Franklin, Simons et al., Duffet-Smith et al. and Tallman in view of Dowling et al., U.S. Patent No. 7,309,965.

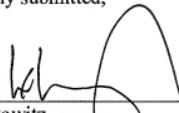
Reconsideration of these rejections is respectfully requested.

Schmidt, Tallman and Dowling do not cure the above-discussed deficiencies of Franklin, Simons and Duffet-Smith as they relate to the above-noted features of claims 1 and 71. Even taken together in combination, Franklin, Simons, Duffet-Smith, Irving and Schmidt and Franklin, Simons, Duffet-Smith, Tallman and Dowling do not disclose or suggest the recitations of claims 1 and 71.

Claims 42 and 51 depend from claim 1 and claim 72 depends from claim 71. Therefore, claims 42, 51 and 72 are patentably distinguishable over the cited art for at least the same reasons as their respective base claim.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the claims of the present application are respectfully requested.

Respectfully submitted,



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